

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

UNITED STATES OF AMERICA,
STATE of WISCONSIN,
STATE of ILLINOIS, and
STATE of MICHIGAN,

Plaintiffs,

v.

DEAN FOODS COMPANY,

Defendant.

Civil Action No. 2:10-cv-00059 (JPS)

**MOTION TO COMPEL ANSWER TO THE
FIRST INTERROGATORY OF DEAN FOODS COMPANY**

Defendant Dean Foods Company (“Dean Foods”) hereby moves under Fed. R. Civ. P. 37(a)(3)(B) to compel Plaintiffs to answer the First Interrogatory of Dean Foods Company submitted under Fed. R. Civ. P. 33.

On June 16, 2010, Dean Foods served the following interrogatory on Plaintiffs:

Identify each of the individuals and entities interviewed by each of the Plaintiffs (either together or independently) pursuant to the Investigation of the challenged Transaction and provide all factual information obtained from these individuals and entities through such interviews that is relevant to Plaintiffs’ claims in this case.

Plaintiffs refuse to provide the relevant purely factual information in their possession responsive to this interrogatory based on the erroneous contention that such information is (a) attorney work-product; (b) protected by the law enforcement

investigatory privilege; or (c) subject to a stipulation between the parties not to seek discovery of certain documents.

For the reasons explained in the accompanying memorandum supporting this motion, the relevant factual information Dean Foods seeks is not subject to any of the objections served by Plaintiffs.

The Court's granting of this motion will narrow the number of third-parties subject to unwanted discovery in this case.

Dated this 23rd day of July 2010.

Respectfully submitted,

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